



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

OCT 06 2014

Maureen O'Dea Brill, Esq.
K & L Gates
17 North Second Street
Floor 18
Harrisburg, PA 17101

Re: Freedom of Information Act Request EPA-R9-2014-009888

Dear Ms. Brill:

This is in response to your Freedom of Information Act request No. EPA-R9-2014-009888 regarding:

Withholding by Northrop Grumman (including its predecessors, affiliates, employees, consultants and other agents) of information from EPA.

Enclosed you will find copies of some of the documents responsive to your request.

We are unable to provide you with the documents, or portions of documents, which have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. § 552(b) (Exemption 5 (Attorney/Client Privilege and/or Deliberative Process) and Exemption 7(A) (enforcement proceedings)). A table providing details of the withheld material along with the basis for withholding is provided in the enclosure to this letter. In addition, EPA is carrying out one additional confirmation search of email files that has not yet been completed. In the event that additional documents turn up from this search, EPA will supplement its disclosure to you.

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed and includes the assigned FOIA request number – EPA-R9-2014-009888. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Raymond Chavira at 415-947-4218 should you have any questions concerning this matter.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Enrique Manzanilla", with a long horizontal flourish extending to the right.

Enrique Manzanilla, Director
Superfund Division

Enclosure

INDEX OF DOCUMENTS TO BE WITHHELD
FOIA REQUEST NO. EPA-R9-2014-009888
October 8, 2014

Document Type or ID	Date	Title/Subject	Author	Addressee	FOIA Exemption	Basis
Email	2/8/12	Near Final Letter to Northrop re: data and cert	R. Chavira	L. Maldonado	Exemption 5 Attorney/Client	Draft letter with proposed changes sent to attorney for review
Email	2/8/12	Re: Northrop Data Letter	R. Chavira	L. Maldonado	Exemption 5 Attorney/Client	Proposed changes to draft letter for attorney review
Email	2/8/12	Northrop Data Letter	L. Maldonado	R. Chavira	Exemption 5 Attorney/Client	Attorney prepared draft letter for discussion with client
Email	3/6/12	For Your Review Email to Northrop	R. Chavira	L. Maldonado	Exemption 5 Attorney/Client	Email from R. Chavira to Attorney Maldonado requests attorney review of draft email text to Northrop

Document Type or ID	Date	Title/Subject	Author	Addressee	FOIA Exemption	Basis
Email	3/6/12	Re: For Your Review Email to Northrop	L. Maldonado	R. Chavira	Exemption 5 Attorney/Client	Email from Attorney Maldonado to R. Chavira re attorney review and edits to draft email to Northrop
Email	3/6/12	Re: For Your Review Email to Northrop	L. Maldonado	R. Chavira	Exemption 5 Attorney/Client	Email from Attorney Maldonado making changes to draft email to Northrop, prepared by R. Chavira
Email	3/6/12	Re: For Your Review Email to Northrop	R. Chavira	Maldonado	Exemption 5 Attorney/Client	Email string between R. Chavira and L. Maldonado including proposed email text to Northrop for discussion

Document Type or ID	Date	Title/Subject	Author	Addressee	FOIA Exemption	Basis
Email	3/6/12	Re: For Your Review Email to Northrop REVISED	L. Maldonado	R. Chavira	Exemption 5 Attorney/Client	Additional changes made to draft email to Northrop by Attorney Maldonado
Email and Attachment (Letter)	3/20/12	Northrop Grumman's Response to EPA's 6 March 2012 Email	R. Chavira	L. Maldonado	Exemption 5 Attorney/Client	R. Chavira comments on Northrop 3/16/12 letter submitted to Attorney Maldonado for review.
Email and Attachment (Letter)	4/3/12	Comments on Northrop Explanation Letter	R. Chavira	L. Maldonado	Exemption 5 Attorney/Client	Additional Comments on Northrop 3/16/12 letter by R. Chavira submitted to Attorney Maldonado for review.

Document Type or ID	Date	Title/Subject	Author	Addressee	FOIA Exemption	Basis
Email and Attachment (document)	4/17/12	Factual Summary, Benchmark, EPA-CID	S. Adair	L. Maldonado cc: K. Shine	Exemption 5 Attorney/Client Deliberative Process Exemption 7(A) Enforcement proceedings	Document prepared by Special Agent, S. Adair, EPA-CID, for review by attorneys Maldonado and Shine and seeking additional input from Attorney Maldonado.
Email and Attachment (document)	4/17/12	FW: Factual Summary, Benchmark, EPA-CID	L. Maldonado	R. Chavira	Exemption 5 Attorney/Client Deliberative Process Exemption 7(A) Enforcement proceedings	Email transmitting S. Adair document for review and discussion between Attorney Maldonado, R. Chavira, and Agent S. Adair

Document Type or ID	Date	Title/Subject	Author	Addressee	FOIA Exemption	Basis
Email and Attachment (document)	4/17/12	FW: Factual Summary, Benchmark, EPA-CID	L. Maldonado	D. Minor	Exemption 5 Attorney/Client	Email transmitting S. Adair document for review and discussion between Attorney Maldonado. and Attorney Minor
Email and Attachment	5/7/12	Re: Draft Report	R. Chavira	S. Adair	Exemption 5 Deliberative Process Exemption 7(A) Enforcement proceedings	Email from R. Chavira to Special Agent Adair with attached comments on report being prepared by Special Agent Adair re criminal investigation
Email with Attachments	5/11/12	Follow-up Questions	R. Chavira	S. Adair	Exemption 5 Deliberative Process Exemption 7(A) Enforcement proceedings	Communications with Special Agent Adair

Document Type or ID	Date	Title/Subject	Author	Addressee	FOIA Exemption	Basis
Email	5/11/12	Re: Follow-up Questions	S. Adair	R. Chavira	Exemption 5 Deliberative Process Exemption 7(A) Enforcement proceedings	Communication between Special Agent Adair and R. Chavira re questions raised by Special Agent Adair
Letter with Comments	8/1/12	EPA Comments in response to Northrop 3/16/12 Letter	R. Chavira		Exemption 5 Attorney/Client	R. Chavira comments on Northrop 3/16/12 letter prepared for review by Attorney Maldonado and Special Agent Adair

Document Type or ID	Date	Title/Subject	Author	Addressee	FOIA Exemption	Basis
Email and Attachments	8/1/12	Consent Decree/Kwan Letter	R. Chavira	S. Adair	Exemption 5 Deliberative Process Exemption 7(A) Enforcement proceedings	Email from R. Chavira to Special Agent Adair Transmitting comments on Northrop 3/16/12 letter, plus copies of the original 3/16/12 and 3/23/12 letters from Northrop